

prisoners. A recent study traced the distribution patterns of different HIV strains to paths of heroin traffic originating from the country. As a New York Times editorial wrote on March 16, 2000, "The cruelty of . . . Burma is increasingly a regional problem that threatens to destabilize its Southeast Asian neighbors with refugees, narcotics and now AIDS." I urge my colleagues to pass this important resolution.

## AMENDMENTS SUBMITTED

### MILITARY CONSTRUCTION APPROPRIATIONS ACT, 2001

#### DASCHLE AMENDMENT NO. 3148

Mr. DASCHLE proposed an amendment to the bill (S. 2521) making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 2001, and for other purposes; as follows:

At the appropriate place add the following:

Since on Mother's Day, May 14, 2000, an estimated 750,000 mothers, fathers, and children united for the Million Mom March on the National Mall in Washington, D.C. and were joined by tens of thousands of others, in 70 cities across America, in a call for meaningful, common-sense gun policy;

Since 4,223 young people ages 19 and under were killed by gunfire—one every two hours, nearly 12 young people every day—in the United States in 1977;

Since American children under the age of 15 are 12 times more likely to die from gunfire than children in 25 other industrialized countries combined;

Since gun safety education programs are inadequate to protect children from gun violence;

Since a majority of the Senate resolved that the House-Senate Juvenile Justice Conference should meet, consider and pass by April 20, 2000, a conference report to accompany H.R. 1501, the Juvenile Justice Act, and that the conference report should retain the Senate-passed gun safety provisions to limit access to firearms by juveniles, felons, and other prohibited persons;

Since the one year Anniversary of the Columbine High School tragedy passed on April 20, 2000, without any action by the Juvenile Justice Conference Committee on the reasonable gun safety measures that were passed by the Senate almost one year ago;

Since continued inaction on this critical threat to public safety undermines confidence in the ability of the Senate to protect our children and raises concerns about the influence of special interests opposed to even the most basic gun safety provisions;

Since this lack of action on the part of the Juvenile Justice Conference Committee and this Congress to stem the flood of gun violence is irresponsible and further delay is unacceptable; and

Since protecting our children from gun violence is a top priority for our families, communities, and nation: Now, therefore, be it

Determined, That it is the sense of the Senate that—

(1) the organizers, sponsors, and participants of the Million Mom March should be commended for rallying to demand sensible gun safety legislation; and

(2) Congress should immediately pass a conference report to accompany H.R. 1501, the Violent and Repeat Juvenile Offender Accountability and Rehabilitation Act, before the Memorial Day Recess, and include the Lautenberg-Kerrey gun show loophole amendment and the other Senate-passed provisions designed to limit access to firearms by juveniles, convicted felons, and other persons prohibited by law from purchasing or possessing firearms.

## EDUCATIONAL OPPORTUNITIES ACT

#### STEVENS AMENDMENT NO. 3149

(Ordered to lie on the table.)

Mr. STEVENS submitted an amendment intended to be proposed by him to the bill (S. 2) to extend programs and activities under the Elementary and Secondary Education Act of 1965; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . PHYSICAL EDUCATION FOR PROGRESS.

Title X of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8001 et seq.) is amended by adding at the end the following:

#### "PART L—PHYSICAL EDUCATION FOR PROGRESS

##### "SEC. 10999A. SHORT TITLE.

"This part may be cited as the 'Physical Education for Progress Act'.

##### "SEC. 10999B. PURPOSE.

"The purpose of this part is to award grants and contracts to local educational agencies to enable the local educational agencies to initiate, expand and improve physical education programs for all kindergarten through 12th grade students.

##### "SEC. 10999C. FINDINGS.

"Congress makes the following findings:

"(1) Physical education is essential to the development of growing children.

"(2) Physical education helps improve the overall health of children by improving their cardiovascular endurance, muscular strength and power, and flexibility, and by enhancing weight regulation, bone development, posture, skillful moving, active lifestyle habits, and constructive use of leisure time.

"(3) Physical education helps improve the self esteem, interpersonal relationships, responsible behavior, and independence of children.

"(4) Children who participate in high quality daily physical education programs tend to be more healthy and physically fit.

"(5) The percentage of young people who are overweight has more than doubled in the 30 years preceding 1999.

"(6) Low levels of activity contribute to the high prevalence of obesity among children in the United States.

"(7) Obesity related diseases cost the United States economy more than \$100,000,000,000 every year.

"(8) Inactivity and poor diet cause at least 300,000 deaths a year in the United States.

"(9) Physically fit adults have significantly reduced risk factors for heart attacks and stroke.

"(10) Children are not as active as they should be and fewer than 1 in 4 children get

20 minutes of vigorous activity every day of the week.

"(11) The Surgeon General's 1996 Report on Physical Activity and Health, and the Centers for Disease Control and Prevention, recommend daily physical education for all students in kindergarten through grade 12.

"(12) Twelve years after Congress passed House Concurrent Resolution 97, 100th Congress, agreed to December 11, 1987, encouraging State and local governments and local educational agencies to provide high quality daily physical education programs for all children in kindergarten through grade 12, little progress has been made.

"(13) Every student in our Nation's schools, from kindergarten through grade 12, should have the opportunity to participate in quality physical education. It is the unique role of quality physical education programs to develop the health-related fitness, physical competence, and cognitive understanding about physical activity for all students so that the students can adopt healthy and physically active lifestyles.

"(14) Every student in our Nation's schools should have the opportunity to achieve the goals established by Healthy People 2000 and Healthy People 2010.

#### "SEC. 10999D. PROGRAM AUTHORIZED.

"The Secretary is authorized to award grants to, and enter into contracts with, local educational agencies to pay the Federal share of the costs of initiating, expanding, and improving physical education programs for kindergarten through grade 12 students by—

"(1) providing equipment and support to enable students to actively participate in physical education activities;

"(2) developing or enhancing physical education curricula to meet national goals for physical education developed by the Secretary in consultation with the National Association for Sport and Physical Education; and

"(3) providing funds for staff and teacher training and education.

#### "SEC. 10999E. APPLICATIONS; PROGRAM REQUIREMENTS.

"(a) APPLICATIONS.—Each local educational agency desiring a grant or contract under this part shall submit to the Secretary an application that contains a plan to initiate, expand, or improve physical education programs in the schools served by the agency in order to make progress toward meeting—

"(1) the goals described in subsection (b); or

"(2) State standards for physical education.

"(b) GOALS.—The goals referred to in subsection (a) are as follows:

"(1) Physical education programs shall facilitate achievement of the national goals for physical education described in section 10999D(2), and the curriculum of the programs may provide—

"(A) fitness education and assessment to help children understand, improve, or maintain their physical well-being;

"(B) instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every child;

"(C) development of cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle;

"(D) opportunities to develop positive social and cooperative skills through physical activity participation; and

"(E) instruction in healthy eating habits and good nutrition.

"(2) Teachers of physical education shall be afforded the opportunity for professional

development to stay abreast of the latest research, issues, and trends in the field of physical education.

“(c) SPECIAL RULE.—For the purpose of this part, extracurricular activities such as team sports and Reserve Officers’ Training Corps (ROTC) program activities shall not be considered as part of the curriculum of a physical education program assisted under this part.

**“SEC. 10999F. PROPORTIONALITY.**

“The Secretary shall ensure that grants awarded and contracts entered into under this part shall be equitably distributed between local educational agencies serving urban and rural areas, and between local educational agencies serving large and small numbers of students.

**“SEC. 10999G. PRIVATE SCHOOL STUDENTS AND HOME-SCHOOLED STUDENTS.**

“An application for funds under this part, consistent with the number of home-schooled children or children enrolled in private elementary schools, middle schools, and secondary schools located in the school district of a local educational agency, may provide for the participation of such children and their teachers in the activities assisted under this part.

**“SEC. 10999H. REPORT REQUIRED FOR CONTINUED FUNDING.**

“As a condition to continue to receive grant or contract funding after the first year of a multiyear grant or contract under this part, the administrator of the grant or contract for the local educational agency shall submit to the Secretary an annual report that describes the activities conducted during the preceding year and demonstrates that progress has been made toward achieving goals described in section 10999E(b) or meeting State standards for physical education.

**“SEC. 10999I. REPORT TO CONGRESS.**

“The Secretary shall submit a report to Congress not later than June 1, 2003, that describes the programs assisted under this part, documents the success of such programs in improving physical fitness, and makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this part.

**“SEC. 10999J. ADMINISTRATIVE COSTS.**

“Not more than 5 percent of the grant or contract funds made available to a local educational agency under this part for any fiscal year may be used for administrative costs.

**“SEC. 10999K. FEDERAL SHARE; SUPPLEMENT NOT SUPPLANT.**

“(a) FEDERAL SHARE.—The Federal share under this part may not exceed—

“(1) 90 percent of the total cost of a project for the first year for which the project receives assistance under this part; and

“(2) 75 percent of such cost for the second and each subsequent such year.

“(b) SUPPLEMENT NOT SUPPLANT.—Funds made available under this part shall be used to supplement and not supplant other Federal, State and local funds available for physical education activities.

**“SEC. 10999L. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated \$30,000,000 for fiscal year 2000, \$70,000,000 for fiscal year 2001, and \$100,000,000 for each of the fiscal years 2002 through 2004, to carry out this part. Such funds shall remain available until expended.”.

• Mr. STEVENS. Mr. President, I offer an amendment to the Elementary and Secondary Education Act. My amend-

ment would provide a demonstration program for incentive grants for local school districts to develop minimum weekly requirements for physical education.

More than a third of young people aged 12–21 years do not regularly engaged in vigorous physical activity, and the percentage of overweight young Americans has more than doubled in the past 30 years.

More and more Americans are obese—more than 30 pounds overweight. In 1991, only four states had populations more than 15 percent of which were overweight. In 1998, the number of states with more than 15 percent overweight residents rose to 43.

Lack of exercise is a matter of death. Poor diet and exercise are the second leading cause of death in the United States. Only tobacco causes more deaths. Lack of exercise contributes to 300,000 deaths in a year in the U.S.—more than alcohol, infectious agents, or guns. The immediate and long-term impact of our poor health habits is staggering, costing the nation more than \$100 billion per year. If our young people continue to be inactive, the cost to the nation down the road will be astronomical. That long-term cost can be prevented, or at least greatly diminished, through regular physical activity and good nutrition.

Lifelong health-related habits, including physical activity and eating patterns, are normally established in childhood. Habits are hard to change as people grow older. We need to convince young people early, before health-damaging behaviors are adopted, to pursue a disciplined life with regular exercise.

My amendment—the PEP bill—will provide our schools an ideal opportunity to make an enormous, positive impact on the health of our nation. Every student in our nation’s schools should have an opportunity to participate in quality physical education.

Children need to know that physical activity will help them feel good, be successful in school and work, and stay healthy. Education in sports activities provides important lifelong lessons about teamwork and dealing with defeat. The lessons of sports may help resolve some of the problems that lead to violence in schools.

The trends for physical education have not been good. Daily participation in Phys Ed dropped from 42 percent in 1991 to 27 percent in 1997. Budgets for physical education are cut first. Only one state in the U.S. currently requires physical education.

Sports and healthy body help produce a healthy mind. 47 percent of Fortune 500 executives were in the National Honor Society—95 percent participated in school athletics. Healthy, active kids grow into healthy, active leaders.

There is a great support for the PEP Act. Many of my colleagues have been contacted by constituents expressing

their support for the return of physical education to schools. This is not a new program—physical education was a regular part of school for decades. 72 percent of Americans surveyed would support legislation for physical education. This amendment creates a 5-year demonstration project to provide an opportunity to prove the impact of physical activity in schools on our young people.●

**MILITARY CONSTRUCTION  
APPROPRIATIONS ACT, 2001**

**LOTT AMENDMENT NO. 3150**

Mr. LOTT proposed an amendment to the bill, S. 2521, supra; as follows:

At the appropriate place, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING  
THE SECOND AMENDMENT, THE EN-  
FORCEMENT OF FEDERAL FIRE-  
ARMS LAWS, AND THE JUVENILE  
CRIME CONFERENCE.**

(a) FINDINGS.—The Senate makes the following findings:

(1) The Second Amendment to the United States Constitution protects the right of each law-abiding United States citizen to own a firearm for any legitimate purpose, including self-defense or recreation; and

(2) The Clinton Administration has failed to protect law-abiding citizens by inadequately enforcing Federal firearms laws. Between 1992 and 1998, Triggerlock gun prosecutions of defendants who use a firearm in the commission of a felony dropped nearly 50 percent, from 7,045 to approximately 3,800, despite the fact that the overall budget of the Department of Justice increased 54 percent during this period; and

(3) It is a Federal crime to possess a firearm on school grounds under section 922(q) of title 18, United States Code. The Clinton Department of Justice prosecuted only 8 cases under this provision of law during 1998, even though more than 6,000 students brought firearms to school that year. The Clinton Administration prosecuted only 5 such cases during 1997; and

(4) It is a Federal crime to transfer a firearm to a juvenile under section 922(x) of title 18, United States Code. The Clinton Department of Justice prosecuted only 6 cases under this provision of law during 1998 and only 5 during 1997; also

(5) It is a Federal crime to transfer or possess a semiautomatic assault weapon under section 922(v) of title 18, United States Code. The Clinton Department of Justice prosecuted only 4 cases under this provision of law during 1998 and only 4 during 1997; and

(6) It is a Federal crime for any person “who has been adjudicated as a mental defective or who has been committed to a mental institution” to possess or purchase a firearm under section 922(g) of title 18, United States Code. Despite this federal law, mental health adjudications are not placed on the national instant criminal background system; also

(7) It is a Federal crime for any person knowingly to make any false statement in the attempted purchase of a firearm; it is also a Federal crime for convicted felons to possess or purchase a firearm. More than 500,000 convicted felons and other prohibited purchasers have been prevented from buying firearms from licensed dealers since the Brady Handgun Violence Prevention Act was enacted. When these felons attempted to purchase a firearm, they committed another

crime by making a false statement under oath that they were not disqualified from purchasing a firearm; and, of the more than 500,000 violations, only approximately 200 of the felons have been referred to the Department of Justice for prosecution; and

(8) The juvenile crime conference committee is considering a comprehensive approach to juvenile crime including:

(a) tougher penalties on criminals using guns and illegal gun purchases;

(b) money for states to get tough on truly violent teen criminals;

(c) a provision allowing Hollywood to reach agreements to clean up smut and violence on television, in video games, and in music;

(d) changing federal education mandates to ensure that all students who bring guns to school can be disciplined; and

(e) a ban on juveniles who commit felonies from ever legally possessing a gun and from possessing assault weapons, and

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) Any juvenile crime conference report should reflect a comprehensive approach to juvenile crime and enhance the prosecution of firearms offenses, including:

(a) designating not less than 1 Assistant United States Attorney in each district to prosecute Federal firearms violations and thereby expand Project Exile nationally;

(b) upgrading the national instant criminal background system by encouraging States to place mental health adjudications on that system and by improving the overall speed and efficiency of that system; and

(c) and providing incentive grants to States to encourage States to impose mandatory minimum sentences of firearm offenses;

(2) The right of each law-abiding United States citizen to own a firearm for any legitimate purpose, including self-defense or recreation, should not be infringed.

#### NOTICE OF HEARING

##### COMMITTEE ON RULES AND ADMINISTRATION

Mr. MCCONNELL. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 a.m., Wednesday, May 17, 2000, in Room SR-301 Russell Senate Office Building, to receive testimony on legislative remedies, including S. 1816, the Hagel-Kerrey-Abraham-Landrieu campaign finance reform bill.

For further information concerning this meeting, please contact Hunter Bates at the Rules Committee on 4-6352.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 16, 2000, at 9:30 a.m., in open session to consider the nomination of Admiral Vernon E. Clark, USN to be Chief of Naval Operations.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON ARMED SERVICES

Mr. BURNS. Mr. President, I ask unanimous consent that the committee

on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 16, 2000, at 10:00 a.m., in open session to consider the nomination of Admiral Vernon E. Clark, USN to be Chief of Naval Operations.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, May 16, 2000, at 9:30 a.m. on reauthorization of Marad administration.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### COMMITTEE ON FOREIGN RELATIONS

Mr. BURNS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 16, 2000, at 10:00 am to hold a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON INTERNATIONAL SECURITY, PROLIFERATION AND FEDERAL SERVICES

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on International Security, Proliferation and Federal Services be authorized to meet during the session of the Senate on Tuesday, May 16, 2000, at 10:00 a.m. for a hearing on Long-Term Care Insurance for Federal Employees.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON CRIMINAL JUSTICE OVERSIGHT

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Criminal Justice Oversight be authorized to meet to conduct a hearing on Tuesday, May 16, 2000, at 10:00 a.m., in 226 Dirksen.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON FORESTS AND PUBLIC LANDS

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Forests and Public Lands of the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, May 16, at 2:30 p.m. to conduct an oversight hearing. The subcommittee will receive testimony on the United States Forest Service's proposed transportation policy.

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON HOUSING AND TRANSPORTATION

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Housing and Transportation of the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Tuesday, May 16, 2000, to

conduct a hearing on "HUD's Single Family Management and Marketing Contracts."

The PRESIDING OFFICER. Without objection, it is so ordered.

##### SUBCOMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

Mr. BURNS. Mr. President, I ask unanimous consent that the Subcommittee on Transportation and Infrastructure be authorized to meet during the session of the Senate on Tuesday, May 16, 10:00 a.m., to conduct a hearing on the Army Corps of Engineers backlog of authorized projects and the future of the Army Corps of Engineers mission.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PRIVILEGE OF THE FLOOR

Mr. BIDEN. Mr. President, I ask unanimous consent that Bennett Lowenthal, a State Department Pearson fellow on the staff of the Foreign Relations Committee, be granted the privilege of the floor for the duration of the consideration of S. 2521, the military construction appropriations bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEASURE READ FOR THE FIRST TIME—S. 2567

Mr. SESSIONS. Mr. President, I understand that S. 2567 is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The bill clerk read as follows:

A bill (S. 2567) to provide Outer Continental Shelf Impact Assistance to State and local governments, to amend the Land and Water Conservation Fund Act of 1965, the Urban Park and Recreation Recovery Act of 1978, and the Federal Aid in Wildlife Restoration Act (commonly referred to as the Pittman-Roberts on Act) to establish a fund to meet the outdoor conservation and recreation needs of the American people, and for other purposes.

Mr. SESSIONS. Mr. President, I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. The objection is heard.

The bill will be read the second time on the next legislative day.

#### ORDERS FOR WEDNESDAY, MAY 17, 2000

Mr. SESSIONS. On behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it adjourn until the hour of 9:30 a.m. on Wednesday, May 17. I further ask consent that on Wednesday, immediately following the prayer, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be